

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRTY-NINTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 19, 2015

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Bair, absent and formally excused by the Chair; and Senators Cameron and Stennett, absent and excused. [District 17 seat is temporarily vacant.]

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Cameron Floyd, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 18, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Stennett was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 18, 2015

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 15](#) and [S 1015](#) have been correctly printed.

HAGEDORN, Vice-Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 18, 2015

The JUDICIARY AND RULES Committee reports that [S 1015](#), as amended, has been correctly engrossed.

HAGEDORN, Vice-Chairman

[S 1015](#), as amended, was filed for first reading.

February 18, 2015

The JUDICIARY AND RULES Committee reports that [S 1021](#) has been correctly enrolled.

HAGEDORN, Vice-Chairman

The President signed Enrolled [S 1021](#) and ordered it transmitted to the House for the signature of the Speaker.

Senator Cameron was recorded present at this order of business.

February 18, 2015

The HEALTH AND WELFARE Committee reports out [H 23](#), [H 24](#), and [H 25](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 23](#), [H 24](#), and [H 25](#) were filed for second reading.

February 18, 2015

The EDUCATION Committee reports out [H 52](#) and [S 1050](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 52](#) and [S 1050](#) were filed for second reading.

February 18, 2015

The JUDICIARY AND RULES Committee reports out [S 1014](#), [S 1025](#), [S 1040](#), [S 1051](#), and [S 1052](#) with the recommendation that they do pass.

HAGEDORN, Vice-Chairman

[S 1014](#), [S 1025](#), [S 1040](#), [S 1051](#), and [S 1052](#) were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 17, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kimber Ricks of Sugar City, Idaho, was appointed as a member of the State Public Defense Commission to serve a term commencing July 1, 2014, and expiring July 1, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

February 17, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kristine Sasser of Boise, Idaho, was appointed as a member of the Public Utilities Commission to serve a term commencing February 19, 2015, and expiring January 13, 2021.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

February 17, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Elliot Werk of Boise, Idaho, was appointed as a member of the State Tax Commission to serve a term commencing February 17, 2015, and expiring March 8, 2015.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Local Government and Taxation Committee.

February 17, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Elliot Werk of Boise, Idaho, was appointed as a member of the State Tax Commission to serve a term commencing March 8, 2015, and expiring March 8, 2021.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Local Government and Taxation Committee.

February 18, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1013

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that HCR 2 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Davis, seconded by Senator Stennett, HCR 2 was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Debra Field was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Hagedorn, seconded by Senator Burgoyne, the Gubernatorial appointment of Debra Field as a member of the State Board of Correction was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Shane Evans was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Burgoyne, seconded by Senator Lakey, the Gubernatorial reappointment of Shane Evans as a member of the Sexual Offender Management Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the following changes were made in Standing Committee assignments for the First Regular Session of the Sixty third Idaho Legislature: Senator Buckner-Webb's assignment to the Resources and Conservation Committee was withdrawn and she was assigned to the State Affairs Committee.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1103

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO CRIMINAL HISTORY RECORDS; AMENDING CHAPTER 30, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-3014, IDAHO CODE, TO PROVIDE THAT A VICTIM OF HUMAN TRAFFICKING MAY PETITION FOR EXPUNGEMENT OF A CRIMINAL HISTORY RECORD UNDER CERTAIN CONDITIONS, TO PROVIDE FOR DENIAL OF A PETITION, TO PROVIDE FOR A HEARING ON A PETITION, TO PROVIDE REQUIREMENTS FOR A HEARING, TO PROVIDE FOR CONSIDERATION OF CERTAIN EVIDENCE AT A HEARING, TO PROVIDE FOR THE GRANTING OF A PETITION AND TO DEFINE TERMS.

[S 1103](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[S 1015](#), as amended, by Transportation Committee, was read the first time at length and filed for second reading.

[H 15](#), as amended in the Senate, by Transportation and Defense Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1079](#) and [S 1081](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[S 1082](#), by Transportation Committee, was read the second time at length and filed for third reading.

[H 4](#), [H 5](#), [H 6](#), [H 7](#), [H 8](#), and [H 9](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[S 1044](#), by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 13](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Call of the Senate was requested by Senator Cameron.

Whereupon the President ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant at Arms was instructed to find and present any absent members to the Senate.

Roll call showed all members present except Senator Bair, absent and formally excused by the Chair; and Senators Heider, Rice, and Thayne, absent and excused. [District 17 seat is temporarily vacant.]

The President directed the Sergeant at Arms to find and present Senators Heider, Rice, and Thayne to the Senate.

Senators Heider, Rice, and Thayne were recorded present.

On request by Senator Cameron, granted by unanimous consent, the Call was lifted.

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Bair. Total - 1.

Total - 34. [District 17 seat is temporarily vacant.]

Whereupon the President declared [H 13](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

February 19, 2015

Dear Mr. President:

I transmit herewith [H 168](#), which has passed the House.

ALEXANDER, Chief Clerk

[H 168](#) was filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

[H 168](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:15 p.m. until the hour of 10:30 a.m., Friday, February 20, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary